



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2912
#5
Electron
TS

In re the Application of

James N. CAWSE

Group Art Unit: 2912

Application No.: 09/938,763

Examiner: Arden H. Marschel

Filed: August 27, 2001

For: METHOD AND SYSTEM TO INVESTIGATE A COMPLEX
CHEMICAL SPACE

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Box Non-Fee Amendment
Washington, D. C. 20231

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Sir:

In response to the Restriction Requirement mailed March 3, 2003, Applicant hereby elects the group (hereinafter designated Group III) encompassing the claim 8 species, with traverse.

Claim 22 recites a further step of applying a statistical analysis to results. Claim 22 is not directed to a species of "analysis representation." Claim 22 is an embodiment of the analysis representation of claim 1 and correspondingly is an embodiment of the elected Group III species. Similarly, a representation according to claim 4 is an embodiment of the elected Group III species of claim 8 and should be examined with the elected Group III species.

Hence, claims 1 to 17 and 22 to 42 read on the elected species and should be examined.

Furthermore, the claims 18 to 21 group is directed to representation by the linear equation (I), which is encompassed by the representation of claim 8 of the Group III claims. Hence, the subject matter of all the claims is sufficiently related that a search of any one Group encompasses a search for the subject matter of the other Group. Section

803 of the MPEP states that "[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." All of the claims of the present application could be examined without serious burden in view of their close relationship. In order to avoid unnecessary delay and expense to the Applicant and duplicate examination by the Patent Office, it is respectfully requested that the restriction requirement be reconsidered and withdrawn.

For these reasons, and in order to avoid unnecessary delay and expense to the Applicant and duplicative examination by the Patent Office, it is respectfully requested that the Restriction Requirement be reconsidered and withdrawn and this Application be examined on its merits.

Respectfully submitted,



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